IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FOURTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

-

WRIT PETITION NO : 16401 of 2004

Between:

Shree Sai Krishna Agro Cold Storages Pvt Ltd., rep by Managing Director, Y.G.K. Murthy, 48-18-66/1, Tulasipeta, Ramatalkies Junction, Visakahpatnam

..... PETITIONER

AND

1 The Commissioner of Industries, Department of Industries, Chirag ali lane,

Hyderabad
2 The General Manager, District Industries Centre, Vizianagaram

Vizianagaram District

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not issuing eligibility Certificate for availing concessional power at Rs.1.75 per unit is illegal and arbitrary and consequently to direct the respondents to issue Eligibility Certificate to avail the concessional power at Rs.1.75 per unit for the petitioner's cold storage unit at Mutcharlavalasa Village, Vizianagaram District

Counsel for the Petitioner: MR.N.NARASIMHA RAO

Counsel for the Respondents: GP FOR INDUSTRIES & COMMERCE

The Court at the admission stage made the following:

ORDER:

The petitioner claims to be a registered small scale unit and eligible for concessional power tariff as per G.O.Ms.No.55, Industries & Commerce (C & EP) Department dated 05-03-2004 and G.O.Ms.No.333, Industries & Commerce (C & EP) Department, dated 14-11-2003. Accordingly, the petitioner made several representations to the respondents requesting for issuance of eligibility certificate for availing concessional power tariff to its Food Processing unit. However, the request of the petitioner has not been considered so far. Hence, this writ petition.

Heard the learned counsel for the petitioner and the learned Government Pleader for Industries and Commerce appearing for the respondents.

Having regard to the facts and circumstances of the case, without expressing any opinion with regard to the entitlement of the petitioner for availing the concessional power tariff. I deem it appropriate to dispose of the writ petition with a direction to the respondents to consider the request of the petitioner for issuance of the Eligibility Certificate to avail the concessional power at 1.75 per unit for the petitioner's cold storage unit at Mutcharlavalasa village, Ramabhadrapuram Mandal, Vizianagarm District and pass appropriate orders in accordance with law as expeditiously as possible, preferably within a period of four weeks from the date of receipt of a copy of this order.

Accordingly, the writ petition is disposed of. No costs.

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14.09.2004

VGB

To

1 The Commissioner of Industries, Department of Industries, Chirag ali lane,

Hyderabad
2 The General Manager, District Industries Centre, Vizianagaram

Vizianagaram District

3 2CCs to the Government Pleader for Industries and Commerce, High

Court Buildings, Hyderabad (OUT)

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